

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Kentucky Data Link, Inc. to Provide  
Resold and Facilities-Based Local Exchange and  
Interexchange Telecommunications Services  
Throughout South Carolina

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2008 - 16 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

Address: Ellis, Lawhorne & Sims, PA

PO Box 2285

Columbia SC 29202

SC Bar Number: 11208

Telephone: 803-343-1270

Fax: 803-799-8479

Other: \_\_\_\_\_

Email: jpringle@ellislawhorne.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda  
expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)

- ☐ Electric  
☐ Electric/Gas  
☐ Electric/Telecommunications  
☐ Electric/Water  
☐ Electric/Water/Telecom.  
☐ Electric/Water/Sewer  
☐ Gas  
☐ Railroad  
☐ Sewer  
☒ Telecommunications  
☐ Transportation  
☐ Water  
☐ Water/Sewer  
☐ Administrative Matter  
☐ Other: \_\_\_\_\_

NATURE OF ACTION (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Affidavit                 | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer                    | <input type="checkbox"/> Motion                            | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Discovery                 | <input checked="" type="checkbox"/> Prefiled Testimony     | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other: _____              |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |  |
| <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

Print Form

Reset Form

# ELLIS:LAWHORNE

John J. Pringle, Jr.  
Direct dial: 803/343-1270  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

March 3, 2008

## **FILED ELECTRONICALLY**

The Honorable Charles L.A. Terreni  
Chief Clerk  
**South Carolina Public Service Commission**  
PO Drawer 11649  
Columbia SC 29211

RE: Application of Kentucky Data Link, Inc. to Provide Resold and  
Facilities-Based Local Exchange and Interexchange  
Telecommunications Services Throughout South Carolina  
**Docket No. 2008-16-C, ELS File No. 1453-11572**


Dear Mr. Terreni:

Enclosed is the **Pre-filed Testimony of John C. Greenbank** filed on behalf of  
Kentucky Data Link, Inc. in the above-referenced docket.

If you have any questions or need additional information, please do not hesitate to  
contact me.

With kind regards, I am

Yours truly,



John J. Pringle, Jr.

JJP/cr

cc: C. Lessie Hammonds, Esquire (via electronic and 1<sup>st</sup> class mail service)  
Margaret Fox, Esquire (via electronic and 1<sup>st</sup> class mail service)  
Anthony D. Gillette, Esquire (via electronic mail service)

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

Docket No. 2008-16-C

Re:    Application of Kentucky Data, Link, Inc.    )  
      for a Certificate of Public Convenience and    )  
      Necessity to Provide Resold and Facilities-    )  
      based Local Exchange and Interexchange    )  
      Telecommunications Services in the State    )  
      of South Carolina    )  
\_\_\_\_\_ )

**KENTUCKY DATA LINK, INC.**

**TESTIMONY OF**

**JOHN C. GREENBANK**

1   **Q.     Will you please state your name and business address?**

2   A.     My name is John C. Greenbank. My business address is 3701 Communications Way,  
3           Evansville, Indiana 47715. My telephone number is (812) 456-1205 and facsimile  
4           number (812) 456-4731.

5   **Q.     By whom are you employed and in what capacity?**

6   A.     In my current capacity, I am the President of Kentucky Data Link, Inc. ("KDL").

7   **Q.     Please give a brief description of your background and experience.**

8   A.     I have over nineteen (19) years of experience within the telecommunications industry.  
9           During my first ten (10) years within the industry, I worked as an applications engineer  
10          with Sound Engineering and Design Company, of Springfield, Missouri, and as a senior  
11          applications engineer for American Telephone Distributors, located in Kansas City,  
12          Missouri. In 1992, I was hired by CSI Corporation, a Kansas City interconnect company,  
13          as President. From there I became Vice-President of KDL. In 1999, I became President  
14          of KDL, which is the position I currently hold. I am a shareholder with Q-Comm  
15          Corporation, a privately held Nevada corporation, which is a holding company of KDL,  
16          as well as Norlight, Inc., Cinergy Telecommunication Networks-Indiana, Inc., Cinergy  
17          Telecommunication Networks-Ohio, Inc., among others. My focus at KDL is to oversee  
18          the operations, product development, customer service, telecommunications training, and  
19          general management of the company as a whole. I have also served as consultant to  
20          Digital Telecommunications Inc. of Jackson, Tennessee, a switch manufacturer.

21   **Q.     What is the purpose of your testimony?**

1 A. This testimony has been filed to answer the question for this Commission as to whether  
2 KDL is technically, financially, and managerially capable to provide the services it  
3 proposes in South Carolina.

4 **Q. Has KDL registered to do business in South Carolina?**

5 A. Yes. KDL has authorization to conduct business in South Carolina. A copy of the  
6 certificate is attached to our Application.

7 **Q. Describe KDL's experience in the telecommunications business.**

8 A. KDL is a rapidly growing telecommunications carrier providing services to both  
9 certificated carriers and to business customers. The company has been operating for  
10 approximately eighteen (18) years and currently operates in Arkansas, Georgia, Illinois,  
11 Indiana, Iowa, Kentucky, Michigan, Mississippi, Missouri, North Carolina, Ohio,  
12 Pennsylvania, Tennessee, Virginia, West Virginia and Wisconsin. The Company has a  
13 strong managerial ability and experience in the telecommunications industry that will  
14 allow it to be a successful facilities-based local exchange and interexchange service  
15 provider.

16 **Q. Where is KDL currently certificated?**

17 A. KDL is currently certificated in the following states:  
18 Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Mississippi, Missouri,  
19 North Carolina, North Dakota, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia  
20 and Wisconsin.

21 **Q. Where in South Carolina does KDL intend to offer its local services?**

22 A. By its application, KDL is seeking statewide authority to provide local exchange and  
23 interexchange services.

1    **Q.     Please describe the services KDL proposes to offer.**

2    A.     Initially, KDL will provide leased capacity, private line, and dedicated local transport  
3           utilizing its own facilities and fiber optic network to customers in South Carolina. KDL  
4           will also offer high speed data services, from DS1 to OC48 circuits. Service will be  
5           available on a contract basis only for specified term periods. The Company offers its  
6           services 24 hours a day, 7 days per week. The Company has a strong managerial and  
7           technical staff, combined with many years of direct operational telecommunications  
8           experience. Profiles of key management staff are attached to KDL's Application.

9    **Q.     Describe the proposed KDL South Carolina tariff.**

10   A.     KDL's tariff describes the company's rules and regulations, services and rates of services  
11           offered to its Customers.

12   **Q.     Does KDL own any network switches or transmission facilities used in routing calls?**

13   A.     Yes.

14   **Q.     How will KDL bill for its services?**

15   A.     KDL intends to bill its customers directly, using its in-house billing systems. Our name  
16           will appear on the bill and the bill will contain our toll free number for inquiries.

17   **Q.     How are billing errors, complaints and trouble reports handled?**

18   A.     KDL customers may contact the Company via its Toll Free telephone number, 1-877-  
19           700-4535, for billing inquiries and questions. The Customer Service Department is  
20           staffed twenty-four hours a day, seven days per week to assist customers.

21   **Q.     How will KDL effect repairs for local exchange service?**

22   A.     KDL will provide repair services using its own agents or through agents contracted for  
23           with the incumbent local exchange carrier or an independent third-party contractor.

- 1    **Q.    Does KDL have a regulatory contact person that will work with the Commission to**  
2       **resolve customer complaints?**
- 3    A.    Yes, Anthony D. Gillette at KDL, 8829 Bond Street, Overland Park, Kansas 66214 is the  
4       contact person for the Commission. His telephone number is (913) 754-3341; Facsimile  
5       number is (812) 759-0999; and email address is anthony.gillette@kdline.com.
- 6    **Q.    Has KDL begun negotiations with incumbent LECs in South Carolina?**
- 7    A.    No.
- 8    **Q.    Describe KDL's financial ability to operate as a telecommunications provider.**
- 9    A.    KDL has sufficient financial resources to provide the requested telecommunication  
10      services in South Carolina, the financial capability to maintain these services, and the  
11      financial capability to meet its lease and ownership obligations.
- 12      The Company has established a strong team to support its venture into the  
13      telecommunications market. KDL has managerial ability and experience in the  
14      telecommunications industry that will allow it to be a successful competitive local  
15      exchange and toll provider. Financial information was filed under Seal with KDL's  
16      Application.
- 17   **Q.    How do you plan to solicit customers?**
- 18   A.    KDL will utilize a direct sales force and direct marketing aimed at other certificated  
19      carriers and business customers with needs for dedicated (non-switched) services. The  
20      company will not engage in telemarketing to solicit customers.
- 21   **Q.    Why is KDL seeking a waiver from the Uniform System of Accounts?**

1 A. The company currently maintains its books and records according to GAAP (Generally  
2 Accepted Accounting Principles). KDL requests the waiver to avoid maintaining two  
3 sets of books.

4 **Q. Have any formal complaints or judgments been levied against the company?**

5 A. No, the Company has not been involved in any formal customer complaints.

6 **Q. How will South Carolina consumers benefit from KDL's services?**

7 A. Certification of KDL as a facilities-based provider of local and interexchange services  
8 will increase the level of competition in South Carolina. KDL proposes to offer quality  
9 services at competitive prices. The use of facilities will only enhance the company's  
10 ability to provide innovative, high quality telecommunications services to South Carolina  
11 consumers. In addition, KDL's marketing plan will expand subscriber awareness of  
12 options and services available to them, thus encouraging the growth and success of  
13 competitive services.

14 **Q. Does this conclude your testimony?**

15 A. Yes.



BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

Docket No. 2008-16-C

Re:    Application of Kentucky Data, Link, Inc.    )  
      for a Certificate of Public Convenience and    )  
      Necessity to Provide Resold and Facilities-    ) **CERTIFICATE OF SERVICE**  
      based Local Exchange and Interexchange    )  
      Telecommunications Services in the State    )  
      of South Carolina    )  
\_\_\_\_\_ )

This is to certify that I have caused to be served this day, one (1) copy of the **Pre-Filed Testimony of John C. Greenbank** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

Margaret Fox, Esquire  
**McNair Law Firm, PA**  
PO Box 11390  
Columbia SC 29211

  
\_\_\_\_\_  
Carol Roof  
Paralegal

March 3, 2008  
Columbia, South Carolina